

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Division

Case No. _____

(to be filled in by the Clerk's Office)

Marquis Lamont Harris

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☐ Yes ☒ NoDepartment of the Army United States Army Claims
Service

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

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COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Marquis L. Harris
Street Address	1001 Cheer Lane, Apt 1B
City and County	Florence / Florence County
State and Zip Code	South Carolina 29505
Telephone Number	7066318360
E-mail Address	marquis_harris1999@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	Department of The Army: United States Army Claims Service
Job or Title (<i>if known</i>)	Office of The Judge Advocate General
Street Address	4411 Llewellyn Avenue, Suite 5360
City and County	Fort Meade / Anne Arundel County
State and Zip Code	Maryland 20755-5125
Telephone Number	3016779431
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

E-mail Address (if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Federal Torts Claim Act (FTCA); United States Constitution: 1st Amendment, - 'Congress shall make no law abridging the right of the people to petition the Government for a redress of grievances'; 9th Amendment; Article VI- Supremacy Clause: 'This Constitution and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the the supreme Law of the Land'.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
 the State of (name) _____. Or is a citizen of
 (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under
 the laws of the State of (name) _____, and has its
 principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____,
 and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- 1 On September 19th, 2023, in an administrative action, the U.S. Army Claims Service denied the claim I filed against the United States in the amount of \$102,800,000 for personal injury, which included negligence. The claim was made because I was raped repeatedly as child between the ages of 5 and 10 (1986-1991) by then Staff Sergeant Selvy Jackson, my then 2nd step-father, while my mother was also serving in the U.S. Army. The rapes began in Germany and then continued and ended in Fort Leonard Wood, Missouri. I first reported the rapes at the age 7, but was not believed- largely because of the lying testimony of my older half-brother. Consequently, the U.S. Army left me in my home where I continued to be raped for another 3 years. Thus I assert that the U.S. Army was negligent. Their negligence resulted in a life-time of pain and suffering, including 1) Numerous psychiatric placements beginnng at the age of 7 (in part because I was perceived as a liar, though I was, in fact, telling the truth) and continuing into adulthood. (See Attached)
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IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

See Page 6

III. Statement of Claim (Continued from 1st Paragraph on Page 4 of 6 on Official Form)

2) Experiencing humiliating bullying as a child by parents and peers who perceived me as gay (though I am not)-i.e. being called a "faggot" multiple times 3) Receiving a dual diagnosis of PTSD and Major Depressive Disorder at the age of 14- both of which continue to this day; 4) Experiencing suicidal ideations, attempts, and self-cutting, 5) Foster care placements beginning at the age of 14, where I remained in the State of Georgia's custody until I aged out after graduating from college, 6) Loss of meaningful employment as an adult, 7) Experiencing homelessness as an adult, and finally 8) Being declared disabled by the Social Security Administration in 2016 for the childhood trauma resulting in my life-long battle with PTSD and Major Depressive Disorder. My brother came forward with the truth as an adult, which a months long independent investigation by the U.S. Army CID confirmed in May of 2023 that I was telling the truth as a child. Agent Daniel McClain (ph# 910 818 7971) called and told me so. I filed my claim with U.S. Army Claims Service on January 5th, 2023, I believe in accords with my 1st Amendment U.S. Constitutional civil right to "petition the Government for a redress of grievances"- for rape and negligence. The U.S. Army Claims Service's expressed denial of my claim based solely upon an expired 2 year statute of limitations as granted under the Federal Torts Claim Act (FTCA), 28 U.S.C. 2401(b), providing for a limited waiver of the U.S. Government's sovereign immunity from tort liability, 28 U.S.C. 1346(b); 2671-2680, rather than on the merits or facts, of my claim itself, is a violation of my 1st Amendment civil right that the U.S. Congress is not allowed to abridge or take away. These portions of the FTCA I claim to be unconstitutional because they restrict an explicit right given to me in the 1st Amendment.

- 2 I further claim that the U.S. Army Claims Service's denial of my claim, along with the portions of FTCA that allows them to are also violations of my 9th Amendment civil right under the U.S. Constitution. I claim that under this Amendment I have a civil right to protection from injury by the federal government and the right to receive compensation where such injury has occurred.
- 3 I further claim that I have these Constitutional rights above any conflicting statutory/legislative enactments or conflicting case law based upon the Supremacy Clause found in Article VI of the U.S. Constitution.

- 4 I would like for the Court to find in my favor and award me the \$102,800,000 that I initially filed a claim for with the U.S. Army Claims Service:
- 5 \$1,800,000.00 - Loss of Potential Income. Because of my Disabilities of PTSD & Major Depressive Disorder (as attested to by the Social Security Administration), I cannot work. I would have like to have earned a Specialist or Ph.D. Degree in Gifted Education and obtained an IB (International Baccalaureate) Coordinator's Job. If I worked until about the age of 65 with approximately \$60,000,00 a year for a salary, this is the figure I derived at.
- 6 \$100,000,000.00 - Emotional Pain and Suffering - For being neglected by the U.S. Army as a child, being branded a liar, the destruction of my family, numerous psychiatric in-placement treatments throughout my life resulting from childhood trauma, victimized by bullying- including being called a "faggot" multiple times by parent and peers (inclusively), foster care placements, job loss, homelessness, suicide ideations and attempts, and self-cutting, and the trauma of having to constantly read and watch on T.V. others receive compensation and justice for their childhood sexual assaults because they operate under state laws rather than federal, while I continue to go without even though I first came forward with the truth at the age of 7.
- 7 \$1,000,000.00 - Punitive Damages - For the negligence of the U.S. Army. They should not have allowed a pedophile into the military. They should have removed me from my home. I was INDEED telling the truth at the age of 7. My brother was lying. I should not have had to endure an additional 3 YEARS OF RAPE until my mother finally decided to divorce him when I was 10 years old. A months long investigation by the U.S. Army CID which concluded in May of 2023 affirmed my childhood allegations (with the help of my adult brother's now truthful testimony). I was told so over the phone by Agent Daniel McClain (ph# 910 818 7971).
- 8 \$1,000,000.00 - Adequate Medical Treatment for Healing purposes for life long trauma
- 9 *There is a problem with my math. In my orginal claim to the U.S. Army Claims Service this is how I broke down the total, but I can see now that I miscalculated. I should have asked for \$103,800,000.00. This was a gross error on my part. I reluctantly, then, will HAVE to withdraw the \$1,000,000,00. Punitive Damages portion to make the math fit. I was told by the U.S. Army Claims Service that the amount I ask from the Court cannot exceed the amount I intially requested from them.
- 10 If the Court is unable to do award me directly because of the particulars concerning my case, then I would

like for the Court to order the U.S. Army Claims Service to do so based upon the merits/facts of my claim, rather than dismissing or denying my claim because it is a violation of FTCA's time constraints.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2/2/24

Signature of Plaintiff

Printed Name of Plaintiff

Marquis L. Harris

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address